

HOUSE BILL 1370

By Lafferty

AN ACT to amend Tennessee Code Annotated, Title 47,
Chapter 18; Title 48, Chapter 101 and Title 58,
relative to donations for disaster relief.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 48, Chapter 101, Part 5, is amended by adding the following as a new section:

(a) A charitable organization, other than a bona fide religious institution, that solicits and receives contributions for a charitable purpose related to a disaster in this state, shall ensure that the contributions received are expended or distributed in a manner that is consistent with that charitable purpose within twenty-four (24) months of the date the disaster is first declared by a county, the governor, or the president of the United States.

(b) A charitable organization shall surrender to the fund established in SECTION 2 any contributions that have not been expended or distributed twenty-four (24) months after the date the disaster is first declared.

(c) A person who willfully and knowingly violates subsection (a) violates this part and is subject to the penalties described in § 48-101-515.

SECTION 2. Tennessee Code Annotated, Title 58, Chapter 2, Part 1, is amended by adding the following as a new section:

(a) There is created a special agency account in the state general fund to be known as the "surplus disaster relief contributions fund," referred to in this section as the "fund."

(b) Any fund balance remaining unexpended at the end of a fiscal year in the fund shall be carried forward into the subsequent fiscal year.

(c) Interest accruing on investments and deposits of the fund shall be carried forward into the subsequent fiscal year.

(d) Unless otherwise specified in this part, the funds realized from SECTION 1(b) shall be deposited in the fund. No part of the fund shall be diverted to the general fund or any other public fund.

(e) Moneys in the fund shall be invested by the state treasurer in accordance with § 9-4-603. The fund shall be administered by the director of TEMA.

(f) Moneys in the fund shall only be expended and obligated for the purpose of disaster relief activities in this state.

SECTION 3. This act takes effect January 1, 2024, the public welfare requiring it.